

**MEDINA CITY COUNCIL
REGULAR MEETING MINUTES**

June 14, 2004
7:00 PM

Medina City Hall
501 Evergreen Point Road

ROLL CALL

Present: Council members Miles Adam, Drew Blazey, Katie Phelps, Pete Vall-Spinosa and Mayor Mary Odermat.
Absent/Excused: Council member Bob Rudolph and Deputy Mayor Todd Nunn
Staff Present: City Manager (CM) Doug Schulze, City Attorney Kirk Wines, Police Chief Jeff Chen, Director of Public Works Shel Jahn, Director of Community Development Joseph Gellings and Recording Secretary Carol Wedlund.

CALL TO ORDER

The meeting of the Medina City Council was called to order at 7:06 p.m.

APPROVAL OF MEETING AGENDA

Mayor Odermat polled the Council regarding deferring discussion of agenda items J-1, 2005 Budget Goals and Process, and J-7, Authorize City Manager to fill Administrative Assistant position, until the full Council was present. Council consensus was to go through the full agenda during tonight's meeting.

ANNOUNCEMENTS

Mayor Odermat relayed the following:

- An SR-520 Bridge Replacement and HOV Project Open House will be held on June 15, 2004 from 5:00 to 7:00 p.m. at the Museum of History and Industry and on June 17, 2004 at St. Luke's Lutheran Church on Bellevue Way.
- The Emergency Preparedness Committee will meet June 16, 2004 at City Hall.
- The deadline is July 2, 2004 for producing signatures in support of Initiative 864 for state-wide reduction of property taxes on the November ballot.

Council members were requested to inform the City Clerk or the City Manager regarding any planned absences this summer.

As a point of clarification, Recording Secretary Wedlund relayed Council member Blazey had inquired following the May 10, 2004 meeting whether or not the City Manager edited the Council minutes. She reported the City Manager had never done so. Ms. Wedlund also announced her last day as Recording Secretary for the Council would be June 30, 2004.

CONSENT AGENDA

Council member Adam moved, seconded by Council member Phelps, to approve the consent agenda. Council member Adam amended his original motion to approve the consent agenda with his addition to the April 26, 2004 Study Session minutes, which met with Council consensus. The consent agenda as amended was unanimously approved.

- E-1 Minutes of May 10, 2004 Council Meeting – approved
- E-2 Minutes of May 24, 2004 Council Study Session – approved with header modification
- E-3 May 2004 Checks and Finance Officer's Report – approved
- E-4 April 12, 2004 Council Meeting – approved
- E-5 April 26, 2004 Council Study Session – approved with addition from Council member Adam
- E-6 Ordinance amending MMC 15.04 to adopt International Building Code – approved
- E-7 Reappointment of Jim Lawrence to Planning Commission -- approved

AUDIENCE PARTICIPATION

Mayor Odermat opened the meeting to audience participation at 7:20 p.m.

Bruce Raskin, 1032 – 84th Avenue NE, accompanied by his wife and two daughters, reported he had checked with neighbors prior to building a tree house on his property. He asked the Council to amend the Zoning Code to allow tree houses within the required setback. He continued moving the tree house would mean its being in a much more obtrusive location.

As an architect for a Seattle firm, **Bob Koch, 3200 – 100th Avenue NE, Bellevue**, requested time on the June Study Session agenda to make a presentation regarding building heights and land use zoning on long, narrow R-16 zoned lots. He wished to show the Council examples and ideas regarding different perspectives other than railroad

train homes on such lots. Mayor Odermat relayed the Council would take his request under New Business later this evening, and would inform him whether or not they would elect to include his request in the June Study Session agenda.

REPORTS

Police Department—A Council member voiced appreciation for the greater detail in the Police Department monthly report.

Development Services—Regarding the Medina Elementary School Special Use Permit, a Council member wanted assurances the Council would receive within a week or so the revised site plan which the Bellevue School District representatives had presented during the June 7, 2004 special Council meeting. Director of Community Development Gellings stated the elevations had not been updated, but he was certain the architects would be happy to furnish an updated site plan, including elevations, along with an auto cad presentation. Concern about the elevation of the proposed Medina Elementary School was expressed, as well as an asphalt versus aluminum roof for that facility. Mayor Odermat indicated these issues could be discussed under New Business tonight.

A Council member requested clarification regarding the issue of utility under grounding at 2233 Evergreen Point Road. Director of Community Development Gellings offered to present alternatives to the Council, adding there was not an automatic solution regarding branch overhead service lines down private lanes. The Code only referred to property fronting Medina streets. Staff had developed an interpretation that a branch line need not be altered until the entire line could be under grounded, so residents who were happy with the service to their homes on private lanes would not be prematurely forced to underground before the last residence on that lane was developed. The Council requested follow up with options to clarify the Code regarding utility under grounding.

A Council member referred to the Alert Section on page three of the monthly Development Services report, and inquired whether the Council needed to take any action. Director of Community Development Gellings replied there was a theoretical problem in that a resident could reconstruct 59 percent of his or her residence one year and do the same thing the following year. The other issue was with ancillary projects that were completed as a condition of closing on primary structures. Staff planned to monitor the situation a bit longer, and was still working through some different cases with multi-faceted projects. He promised to update the Council at a future meeting.

A Council member inquired about International Building Code follow up progress with local architects and builders who worked in Medina. Director of Community Development Gellings indicated an open-ended discussion with the architects had resulted in helpful comments about Medina's process, and how to streamline it. There had not yet been a meeting with owners and contractors, but one could be arranged.

Another Council member asked about pass-through charges in conjunction with permitting. Director of Community Development Gellings replied often it was the norm for the scope of the project to escalate during the construction process. There were currently two cases in dispute, where the owners were questioning the city's policy of raising the fee for the final valuation. City Attorney Wines added the cases were not yet to the lawsuit stage. Both cases involved recomputing the permit fee based on actual costs. Medina's fees were currently being charged from the Building Code as the cost or value of the structure increased. The owners were questioning a full permit fee and full reconciliation permit fee for each permit granted. Permits were only good for 18 months, with a six month extension. When the permit expired, if the work was not yet completed, the homeowner paid a new permit fee. The city had sought the opinion of outside counsel, who had advised the city was justified in what it was doing. Both the Community Development and Building Departments were still losing money on what they were collecting. Mayor Odermat inquired whether the homeowner clearly understood at the beginning of the project that there would be reconciled fees upon its conclusion. Director of Community Development Gellings felt it was clear because the homeowner went through the exercise based on value of the work before the permit was even issued. Mayor Odermat suggested the process be very clear and simple to understand. A Council member suggested each homeowner requesting a building permit be initially reminded of the expiration date and the fee reconciliation process. Director of Community Development Gellings clarified that the last sentence, first paragraph on page three of his monthly report regarding not receiving the full permit fees had to do with past practice.

Public Works— A Council member relayed tennis players were excited about completion of the tennis courts. Public Works Director Jahn replied the completed tennis courts would be a great addition. The asphalt surface must cure before installing the playing surface, and that was the reason for the delay.

Mayor Odermat inquired when the three way stop sign would be installed at the intersection of Evergreen Pt. Road and Overlake Drive West. Public Works Director Jahn stated his intention to install pre-notice stop signs the latter part of July, and to announce the new three-way stop sign in the next Medina quarterly newsletter.

Mayor Odermat noted the \$11,000 per year spent on mutt mitts in Medina. Public Works Director Jahn indicated many of these 11 cents each mitts were disappearing and being taken home by Medina Park users.

A Council member inquired about landscape maintenance on NE 24th Street. Public Works Director Jahn stated part of the plantings had not been coordinated with Public Works at the time that landscaping was installed. Also, no irrigation system had been installed. However, there was money in the 2004 budget to irrigate that NE 24th Street strip. It was currently unsafe to water during the summer. Also, plants that were too high created a sight visibility problem. Therefore, some plants would have to be removed and replaced with smaller ones.

Public Works Director Jahn was asked about trimming and cleaning around the Windsong carving. He replied the intent had been to oil and refinish the wood carving, and the Public Works crew could weed that area then.

City Manager's Report—A Council member inquired about the Financial Report. City Manager Schulze stated in the future the Financial Report could be addressed under agenda item F-3, Approval of Monthly Checks/Finance Officer's Report. However, it would be helpful to have financial questions in advance of the Council meeting.

A Council member asked about progress on updating the city's website. City Manager Schulze indicated those duties were now performed in-house, and updates were now done more quickly than in the past.

A Council member wondered if the Planning Commission had been notified of the mandated requirement for a quarterly report. Mayor Odermat was not aware the Council was requiring the Planning Commission to do so. Another Council member thought since the Council was now receiving the agenda and minutes, a quarterly report was duplicative for both the Park Board and the Planning Commission. Public Works Director Jahn clarified the new Park Board ordinance required both an annual work plan and quarterly reports.

City Manager Schulze stated he had just received the final Council Annual Retreat report the week prior, and it would be on the next Council agenda.

PUBLIC HEARING

2005 – 2010 Capital Improvement Plan—Mayor Odermat opened the public hearing at 7:59 p.m. Public Works Director Jahn noted the 2005 – 2010 Capital Improvement Plan (CIP) had been presented to the Council at the April 26, 2004 Study Session. No amendments to the Capital Improvement Plan were directed at that time. He reviewed the options available to the Council. A Council member inquired if the \$270,000 amount requested for project pumps in 2005 was additional money beyond what the Council had already approved, or whether it was funds the Council had thought they would expend in 2004 but were now spending in 2005. Public Works Director Jahn replied he had shifted some of the money he had thought would be spent in 2004 to next year. He planned to make a Council presentation in a couple of months that would update the project and could change the figures. It would contain a better model program for the fish habitat in concert with the beach environment. A Council member wanted to endorse it subject to funding, once the Council approved the budget process. Public Works Director Jahn noted the 2005 – 1010 CIP was the authorization document rather than one of appropriations. If the CIP were approved as proposed this evening, Public Works Director Jahn indicated he would start the planning process. If the resources were not available at the end of this year to fund certain CIP projects, they would not be executed. However, there would at least be a plan on the shelf.

A Council member inquired about the sidewalk projects in 2006 and 2007. Another Council member responded the sidewalk from Medina Elementary on NE 8th Street to Evergreen Point Road would occur in 2006. Public Works Director Jahn noted the sidewalk proposed for 2007 at the north end of Evergreen Point Road would be the most contentious one. He planned to show schematics to the residents along that part of Evergreen Point Road. That proposed sidewalk would impact some residents who had plantings in the right-of-way. The intent was to hold a public hearing to allow residents an opportunity to voice their opinions. There was also an opportunity for Bellevue Sewer and Water as well as Puget Sound Energy to install subsurface lines simultaneous with the proposed sidewalk. A Council member emphasized passage of the CIP did not mean the Council had approved the sidewalks. Mayor Odermat opened the public hearing to audience participation at 8:14 p.m.

Mark Nelson, 1233 Evergreen Point Road, did not know what was in the CIP and inquired how could the public respond if they did not know what was being planned? He indicated no details had been included in the Council

packet. Director of Public Works Jahn stated the complete CIP had been available for review in the City Clerk's office for a couple of weeks. Mr. Nelson stated it would be difficult for the public to comment if they did not come to the City Clerk's office to review it prior to tonight's meeting. City Manager Schulze commented both the Planning Commission Chair and Vice Chair had been provided copies of the Council packet. Mayor Odermat closed the audience participation portion at 8:16 p.m.

Following discussion, Council member Phelps moved, seconded by Council member Vall-Spinosa, to accept the six-year CIP as presented, and the Council unanimously adopted it. Council member Blazey moved to pass Resolution No. 306, Adopting a Six-Year Transportation Improvement Program and Directing the Same to be Filed with the State Secretary of Transportation and the Transportation Improvement Board. Council member Vall-Spinosa seconded, and the motion carried unanimously. Mayor Odermat closed the public hearing at 8:19 p.m.

OTHER BUSINESS

Safety Measures on Overlake Drive East—A Council member expressed concern about safety on Overlake Drive East, as it had been a topic of concern in his neighborhood. City Manager Schulze stated continuation of the walkway along Overlake, starting at Evergreen Point Road, used to be in the CIP three to four years ago. The first phase included a pedestrian pathway to 81st Avenue NE, the second phase to 84th Avenue NE, and all the way to Lake Washington Boulevard. This phased pedestrian pathway development had fallen off when the Council decided to eliminate the CIP for a year or two. Director of Public Works Jahn stated there were spots where a path could be installed, and it was possible to have an elevated walkway along the bridge. However, there were numerous locations where the area was so narrow it would be very hard to install a walkway. There was also a tremendous slope stability issue along various right-of-way sections. Mayor Odermat inquired if the city would be creating liability to install a pathway that might not be safe. Director of Public Works Jahn responded he had discussed this issue with a number of citizens and the Council should address it. However, installation of even a narrow pathway would be expensive. Mayor Odermat suggested Director of Public Works Jahn and the Council member who had expressed the safety concern should discuss it together. Director of Public Works Jahn suggested radar signs be permanently mounted on Overlake Drive East because speedometers had been clocked as high as 72 miles per hour on that road. Chief Chen stated radar signs cost \$7,000 to \$10,000 each, but they did catch the eyes of motorists.

2005 Budget Goals and Process—City Manager Schulze stated the 2004 budget was developed based upon policies established by the Council in seven major categories relating to financial stability. He requested guidance whether the Council wished to use the same policies or modify them for the 2005 budget. The current policy maintained zero percent utility tax, which the Council had previously indicated they would like to discuss again. A utility tax of three to four percent would generate a substantial amount of revenue with impact of approximately \$10.00 to \$20.00 per month for a typical household. Actual monthly cost to a household would be based on total utility consumption.

City Manager Schulze inquired of the Council how they wished to address the potential reduction of the property tax levy if voters approved Initiative 864. He noted the impact of this initiative would be a loss of more than \$500,000 in 2005, which would create a significant impact upon the city's ability to provide services. The initiative must be certified by July 2, 2004 if it were to be placed on the November ballot. Seventeen cities were considering a levy ratification or lid lift election in September, to ratify the levy at its current rate, which would supersede I-864. Medina's levy was approximately \$1.00 per thousand dollars of assessed valuation. He suggested the Council review this matter and make a decision during the July 12, 2004 Council meeting, which would be after the deadline for certification of an initiative to be placed on the November ballot. City Manager Schulze continued the State Department of Revenue, the King County Assessor and a local law firm had opined that those jurisdictions with a previous levy lid lift were exempt, which made the city technically exempt from I-864, if the ballot measure were approved by Medina voters. The Council by consensus decided to wait and see if I-864 was certified by July 2, 2004, and if it was, the required ordinance should be on the July 12, 2004 agenda.

City Manager Schulze inquired whether the Council wished to approach 2005 budget decisions from a line item perspective or via expenditure category. By consensus, the Council wanted to utilize expenditure category review rather than take the line item approach.

City Manager Schulze noted there were only two or three cities in King County that had zero percent utility tax. A Council member stated Medina residents already paid a substantial amount of property taxes, and it would be difficult to ask them to pay a utility tax. Further, Clyde Hill's property taxes were half those of Medina.

By unanimous consensus, the Council wished to continue using the adopted budget policies for 2005.

Director of Public Works Jahn reminded the Council the city would receive eighteen SR-520 disciplinary reports beginning in July, and Medina would have two weeks to respond to each one. Medina had agreed to be a cooperating agency, which meant they would provide input and feedback. His intention was to submit a memo for Council review. City Manager Schulze stated money was already in the budget for SR-520 issues. Mayor Odermat added the Council should decide whether they wished to tackle this issue as a full Council, as a subcommittee, or whether they should hire a consultant to advise them. She suggested a separate Council meeting to discuss these issues. Director of Public Works Jahn projected that response reports would extend until February 2005.

A Council member voiced objection to continuing city expenditures for jet noise. It was suggested Medina might organize with the City of Seattle, who was also impacted. City Manager Schulze stated the city had budgeted \$25,000 for 2004 to spend on jet noise. A Council member indicated the city had spent about \$100,000 on jet noise during the last 15 years. Mayor Odermat suggested it might be best to wait until the full Council was present before making any decisions regarding jet noise.

Mayor Odermat commented there was interest in expanding the playground equipment at Medina Park. Director of Public Works Jahn stated the Park Board would be reviewing each park and presenting their work plan to the Council. They were starting to gather the master plan that had been missing for a long time.

A Council member outlined on the white board suggested steps to be taken for the 2005 budget goal process, and to begin at the same operating expense level as for 2004. It was suggested staff monitor sales tax revenues for inclusion of Medina Elementary School construction-related expenditures. Mayor Odermat suggested Council members attend the Association of Washington Cities budgeting seminar in Lynnwood during July or in Leavenworth in August.

The Council approved the 2005 Budget Goals and Process, as follows:

- No change to budget policies;
- Consider a September 2004 ballot measure if I-864 is certified.
- Category expenditure review instead of line item review,
- SR-520 and emergency preparedness special projects, and
- Targets include no growth in operating expenses.

Cable Television Franchise Renewal—City Manager Schulze explained the city's fifteen-year franchise agreement with Comcast would expire on July 31, 2006. Federal law established a process for franchise agreement renewal which allowed a cable television operator to initiate negotiations three years prior to the expiration date. Comcast had notified the city of their desire to begin the renewal process. Additionally, the Cities and Towns of Clyde Hill, Hunts Point, Newcastle, Beaux Arts Village, and Yarrow Point were also in the process of considering franchise renewal with Comcast. Representatives from the cities and towns had met with a consultant to discuss a joint negotiation process, which would significantly reduce the cost of consultant services to each individual organization. In addition to the reduced costs for consultant fees, the city would also benefit from a collaborative effort representing a population of more than 15,000 people rather than 3,000, which meant five times more potential subscribers for Comcast. He had heard positive feedback regarding a consultant who was currently working with other local cities, including Kirkland, Bothell, and Mountlake Terrace. City Manager Schulze requested direction regarding the goals for the cable television franchise agreement. Service levels, fiber optic cable, cable service for internet access, providing senior citizen discounts for cable service, upgrades, location of service lines, and community access channels were part of the negotiations which could be conducted. Additionally, Clyde Hill had language in adopted ordinance form which required under grounding of utilities whenever there was an upgrade of the service. City Attorney Wines interjected Medina's proposal included a clause indicating the electrical service was underground and the other utilities must be as well. Medina currently did not have the Clyde Hill clause which stipulated any upgrade must be done underground. City Manager Schulze offered to ensure a community survey was conducted to determine what residents would like to receive from their cable television service. The consultant would also review the language regarding the city receiving equipment from Comcast to operate a government access channel. Mayor Odermat did not want to see Medina's Council meetings on public television. City Attorney Wines noted the city had the right to use the public access channel and the facilities Comcast maintained in Seattle. If Medina staff wanted to go to the Seattle facility, they could prepare a presentation for public broadcast. A Council member suggested the monthly cost to individual households be part of the negotiation package, as television cable prices increased every year. When asked if the city could obtain a cap on cable cost increases, City Manager Schulze replied it would be difficult for Medina to object to every rate increase. He

cautioned if one municipality backed out, the others would be unable to enter into the Interlocal agreement, because the economies of scale would no longer be present. Council member Blazey moved, seconded by Council member Phelps, to approve entering into the Interlocal Agreement for Cable Television Consulting Services with Comcast. Council member Vall-Spinosa amended the motion to keep the Council apprised of the issues and what was being negotiated, which met with Council consensus. Council member Adam added an amendment that Medina's \$6,200 expenditure portion should come out of the 2004 budget. The Council unanimously voted to approve the Interlocal Agreement for Cable Television Franchise Renewal, with the two suggested amendments.

City Hall Summer Hours—City Manager Schulze noted during the May 24, 2004 Study Session, the Council had moved discussion of city hall summer hours to tonight's meeting. Several members of the Council had expressed concern with the customer service implications of closing City Hall on Fridays during summer months, while other ones considered extended hours on Monday through Thursday and the additional beach parking on Fridays to be a customer service improvement. He had conducted a survey of city hall business hours using comparable cities. A Council member stated beach park use was the reason she had proposed closing City Hall on Fridays during the summers because the customer service the city wanted to provide users superseded the policy of being closed on Fridays. Mayor Odermat stated administratively, it had been worked out so that every other weekend, staff members were able to have four day weekends, but yet still provide full coverage for citizens. A Council member added City Hall would still be open 8:30 a.m. to 5:00 p.m. five days a week, and extra parking spaces would be available as a result of the proposed employee flextime hours. City Manager Schulze assured the Council staff understood if this summer schedule did not work, changes would need to be made. The Council approved summer hours for staff, provided there was no change to City Hall business hours.

Emergency Preparedness—City Manager Schulze noted the city was spinning its wheels with emergency preparedness efforts. The needed resources were not presently available. He requested direction regarding the Council's desires and expectations for emergency preparedness. This direction would assist staff with development of a recommended 2005 emergency preparedness budget, as well as assist emergency preparedness volunteers to focus their efforts appropriately. A Council member suggested the Emergency Preparedness Coordinator position should be expanded. City Manager Schulze relayed the difficulty in reaching the public, even though the Medina Newsletter, Medina Days surveys and special mailings had been utilized. Despite repeated efforts to encourage residential participation in the Strengthening Preparedness Among Neighbors (SPAN) Program, the turnout had been disappointing. He emphasized the city needed to identify better ways of marketing emergency preparedness. Further, many residents did not continuously live in Medina. Mayor Odermat suggested Council members contact residents and ask them to become involved in neighborhood SPAN meetings. A Council member commented it was difficult to mobilize residents when there was a public perception of not being concerned about emergencies due to the Police Department, emergency crews, well trained firefighters and prepared hospital personnel. Mayor Odermat stated all of the medical doctors in Medina had been identified. A Council member suggested needed emergency preparedness items should be identified in the budget. By consensus, the Council requested that City Manager Schulze factor the needed emergency preparedness resources into the 2005 budget.

Council Agenda Calendar—Future Council agenda items were discussed.

Medina Park Dog Control—A Council member suggested that Medina Park dog control originally scheduled for the August 9, 2004 Council meeting should be moved to the July 12, 2004 meeting. It was also proposed citizens send letters or speak at the July 12 meeting, rather than drag it out in an August public hearing. City Attorney Wines advised it was not necessary to allow public testimony. Also, any action the Council took would be at a public meeting. He advised both sides could be allowed 15 minutes with a spokesperson for each side, or the public could speak for three minutes each. A Council member suggested ten minutes for each side, then a ten-minute rebuttal period for each team. Mayor Odermat polled the Council regarding allowing residents to individually speak, which met with no objections.

Lucius Bigelow, 2425 Evergreen Point Road, distributed a petition containing signatures. He did not know whether the signatures were all those of Medina residents. A Council member suggested the petition should only contain signatures of Medina residents. City Attorney Wines advised if the Council were to allow public testimony, it should be for the entire public. Mr. Bigelow suggested a cooperative process by which those wishing to speak work something out without controversy that would benefit all park users. He offered to write an ordinance amendment that would relate to dog use in the park. Mr. Bigelow suggested staff talk to City of Kirkland personnel for alternative ideas. Perhaps then a public hearing would not be needed, and there would be no controversy. His hope that Council members, the City Attorney, staff and citizens could work together toward a common goal of finding something that would satisfy everyone and avoid controversy. He had also suggested to Mayor Odermat with City

Attorney and Chief of Police approval, citizens could be deputized to enforce the ordinance. Mr. Bigelow noted a study conducted in 1989 could perhaps be discussed with the Park Board. He requested that the Council defer any action for now. Mr. Bigelow also requested time to discuss the Medina Park dog control issue more with Director of Public Works Jahn. A Council member emphasized the city had not taken a position on dog control in the park.

Mayor Odermat suggested the local television stations and newspapers be notified of this meeting. City Attorney Wines recommended citizens take turns speaking for or against dog control in the park, as it might be difficult for each side to elect a spokesperson. He requested that staff draft some recommended procedures and provide them to the Council. The Council agreed to hear the Medina Park dog control issue at the July 12, 2004 meeting.

Discussion of SR-520 Issues—The Council thought a special meeting would be needed to discuss the issues surrounding SR-520. City Manager Schulze reminded Council members the disciplinary reports would be available for review in a couple of weeks, and suggested appointing a couple of Council members to represent them. Mayor Odermat thought there may be some items which may only require a “no comment” response if the Council agreed with them. She also commented staff did not have the time to add disciplinary reports to their tasks. City Manager Schulze suggested they could be completed on a contract basis.

Authorize Purchase Agreement for Park Property—Per RCW 42.30.110(c), Mayor Odermat announced discussion of land acquisition would take place later this evening in Executive Session, and the Council would reconvene approximately 15 minutes after recessing into Executive Session.

Authorize City Manager to fill Administrative Assistant Position—City Manager Schulze relayed staff had reviewed reconfiguration of the City Clerk office area, and could make room for a third desk, despite the crowded conditions that would result. The photocopier would be moved to the hallway under the mail machine to make room for a third desk. He explained that person would serve as a recording secretary, fulfill receptionist duties, and also be an administrative assistant for the City Manager. City Manager Schulze cautioned there could possibly be a budget amendment, which would include passport revenue fees that had been generated. A Council member objected to the extra cost beyond what was currently paid to the present recording secretary, as he did not see any benefit to making the position full time. City Manager Schulze responded it was absolutely a full time position. It was already a position that was part of a proposal which had been formerly approved by the Council. Further, it was a benefit to the city and gave Medina’s citizens an employee dedicated to answer the phones and serve at the front counter. Mayor Odermat inquired how the present Recording Secretary had previously been able to handle the duties of City Clerk as well as take minutes. Recording Secretary Wedlund responded she had worked many extra hours without compensation, and had never charged the city for the unpaid overtime she had worked while serving as City Clerk.

A Council member inquired whether a full time Information Services Coordinator was needed. City Manager Schulze explained the duties of the Information Services Coordinator. A Council member suggested hiring a half time Recording Secretary and a half time Information Services Coordinator. That Council member also inquired whether full benefits were required for part time personnel. City Manager Schulze stated benefits were prorated, based upon the number of hours part time personnel worked. The possibility of contract employees was raised, in order to eliminate having to later on pay money for state retirement. If there were a sudden downturn, the city could eliminate that position. City Manager Schulze stated a position could be eliminated whether it was for full time, part time or a contract person. The union contracts contained a provision that allowed the city to lay off a union position.

Council member Phelps moved to make the Administrative Assistant position full time, seconded by Council member Blazey. The Council authorized the Administrative Assistant position, with Council members Adam and Vall-Spinosa opposed, and Mayor Odermat, Council members Phelps and Blazey in favor.

NEW BUSINESS

Reconsideration of Medina Elementary School Special Use Permit Decision—City Attorney Wines explained there were provisions in the Code for reconsideration of decisions, but they must be based on specified grounds and must be made by a specific party. He did not see a necessity for reconsideration. A Council member noted the Council had not seen the final school design, but had trusted that the elevation would not present the impact of a massive box. That Council member continued if any part of the footprint changed later on, he wanted it to again be a Council agenda item. It was pointed out the Council had approved the plans in their packets. The ones that were being discussed during the Special Use Permit public hearing on June 7, 2004 were different. Another Council member stated the Council had approved a footprint, but not elevations. Director of Community Development Gellings stated his intention to be vigilant regarding building massing. He added the Computer Aided Drafting

Design presentation would depict the school from all angles. His plan was to bring the entire proposal back to the Council if there was any deviation that related to the Council decision criteria. He continued all the proposals he had seen mitigated massing toward the neighbors. The overall massing directed toward the neighbors was mitigated through roof modulation, articulated walls and windowed walls. A Council member did not think the entire Council knew what they had approved. He opined that was why the City attorney had requested that the exhibits be numbered. Discussion followed surrounding the Council decision during the June 7, 2004 public hearing. Community Development Director Gellings stated the decision could be made whether or not the application was consistent with the Council's decision when the applicants moved into the building permit procedure.

Presentation in June Study Session Regarding R-16 Lots--The Council decided not to review a code change regarding tree houses. They also decided not to grant Mr. Koch time on the June Study Session agenda for a presentation regarding an R-16 Medina lot, and suggested his was a unique situation that should be considered for a variance.

Discussion of what to Include in Future Council Minutes—The Council decided to defer discussion of this item.

Discussion of Council Retreat—The Council also decided to discuss review of the Council Retreat during the June Study session.

Computer Aided Drafting Design Presentation—The Council unanimously wished to hear a Computer Aided Drafting Design animated presentation by Medina Elementary School architects in the June Study Session.

EXECUTIVE SESSION

Council member Phelps moved, seconded by Council member Blazey, to recess into Executive Session at 11:49 p.m. Mayor Odermat announced the Council would recess into Executive Session to discuss land acquisition, per RCW 42.30.110(c), and possibly personnel matters, per RCW 42.30.110(g), and contemplated reconvening in approximately fifteen minutes. The Council recessed into Executive Session at 11:49 p.m., and the meeting reconvened at 12:55 a.m.

SPECIAL COUNCIL MEETING

Mayor Odermat announced the Council would schedule a special Council meeting in City Hall on June 21, 2004 at 6:00 p.m. to consider adoption of an ordinance initiating eminent domain proceedings for acquisition of property.

ADJOURNMENT

Council member Blazey moved, seconded by Council member Adam, to adjourn the meeting at 12:56 a.m., and the motion carried unanimously.

Mayor Mary Odermat

Attest:

Caroll P. Wedlund, Recording Secretary